



NEWS RELEASE

JUDICIAL COUNCIL OF CALIFORNIA ADMINISTRATIVE OFFICE OF THE COURTS

CONTACT
LYNN HOLTON
PUBLIC INFORMATION OFFICER
(415)865-7738

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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF OCTOBER 25, 1999

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#99-164 People v. Mazurette, S081661. (B121068; 73 Cal.App.4th 814.)
Petition for review after the Court of Appeal dismissed an appeal from an order deferring entry of judgment in a criminal case. This case concerns whether an order deferring entry of judgment of conviction to permit diversion pursuant to Penal Code section 1000.2 is appealable.

#99-165 People v. Nava, S081565. (E021958.) Unpublished opinion.
Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. This case includes an issue, concerning whether a juror was properly removed for refusing to deliberate and follow the law, which is related to an issue before the court in People v. Metters, S069442 (#98-70), and People v. Cleveland, S078537 (#99-94).

#99-166 Post v. Palo/Haklar & Associates, S081910. (B118176; 73 Cal.App.4th 845.) Petition for review after the Court of Appeal reversed an order reversing dismissal of a proceeding before the Labor Commissioner. This case

(over)

concerns whether a determination by the Labor Commissioner that a claimant is not an employee and hence that the Labor Commissioner has no jurisdiction is subject to review by appeal to the courts pursuant to Labor Code section 98.2.

#99-167 People v. Rubalcava, S081209. (D030483; 73 Cal.App.4th 956.)
Petition for review after the Court of Appeal affirmed a judgment of conviction of a criminal offense. This case presents issues concerning the mens rea of the crime of carrying a concealed dirk or dagger. (See Pen. Code, § 12020.)

#99-168 People v. Woo, S081558. (B122979.) Unpublished opinion.
Petition for review after the Court of Appeal affirmed an order denying a motion to vacate judgment. This case presents an issue, concerning the circumstances under which a non-citizen defendant may obtain vacation of a final conviction based upon guilty plea following purported non-compliance with Penal Code section 1016.5, which is related to an issue before the court in People v. Superior Court (Zamudio), S073031. (See #98-158.)

DISPOSITIONS

#98-117 Chen v. Franchise Tax Bd., S072002, was dismissed and remanded to the Court of Appeal. Those portions of the Court of Appeal opinion originally printed at 64 Cal.App.4th 1335 were ordered republished.

The following cases were dismissed and remanded to the Court of Appeal:

95-36 People v. Wilds, S044991.

95-81 People v. Harris, S046696.

95-88 People v. Marlow, S046966.

95-96 People v. Amundson, S047242.

95-152 People v. Stetler, S048451.

96-46 In re Cole W., S052082.

96-53 People v. Smith, S052233.

96-180 People v. Reagor, S056541.
97-75 People v. Stephenson, S060044.
97-76 People v. Givens, S060563.
97-152 People v. Bogard, S063516.
#98-44 People v. Becerra, S068191.
#98-54 People v. Barthlett, S068530.
#98-73 People v. Daniels, S069728.